IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 27500 of 1998

Between:

Mahboobnagar District Beedi Employees Union, Reg.No: B-114/71, Rep. by its General Secretary, J.T. Goud,
S/o. Venkanna Goud, R/o. Chinna Chintakunta, Atmakur Mandal,
Mahaboobnagar District.

..... PETITIONER

AND

1 The Welfare Commissioner, Union Ministry of Labour, Government of

India, Kendriya Sadan, Sultan Bazar, Hyderabad-500095.
2 The Secretary, Government of India, Ministry of Labour, New Delhi.
3 The District Collector,
Mahaboobnagar, Mahaboobnagar District.
4 The Commissioner of Labour, Govt., of A.P.,
Chikkadpally, Hyderabad-20.
5 The Managing Director, A.P.State Housing Corporation Ltd.,
Near Urdu Hall, Himayathnagar, Hyderabad.
6 The District Manager, A.P.State Housing Corporation Ltd.,
Mahaboobnagar, Mahaboobnagar District.
7 K. Krupaiah S/o Rajanna
R/o. Kothakota (V) and Mandal, MBNR-Dt.
8 Smt. Yaseem Bee W/o. Abdullah
R/o. Kothakota (V) and Mandal, Mahbubnagar District.
9 Brahmaiah S/o Laxmaiah
R/o. Kothakota (V) and Mandal, Mahbubnagar District.

10 Smt Venkatamma W/o. Ramachandra
R/o. Kothakota (V) and Mandal, Mahbubnagar District.
11 Smt Saleem Bee W/o Late Mahamood
R/o. Kothakota (V) and Mandal, Mahbubnagar District.

(Respondents 7 to 11 are impleaded as per Court Order dated 1-2-1999 in WPMP No.1620 of 1999.)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order, or Direction, more particularly one in nature of Writ of MANDAMUS DIRECTING the Respondents 1 & 2 to MAINTAIN and RELEASE the Funds for only those Houses which have received Administrative Approval for Grant of Subsidy, out of Beedi Workers Welfare Fund as per Proceedings No M.110 18/5/1996 - W.III, dt. 18/10/1996 and consequently DECLARE the action of the Respondents 1 & 2 in allowing Respondents 3 to 6 for mis-utilising the Grants Released by the 1st and 2nd Respondents for Construction of Houses under Housing Scheme for Economically Weaker Section Beedi Workers of Mahabubnagar District as Bad in Law and against Principles of Natural Justice.

Counsel for the Petitioner:MR.B.SUDHAKAR REDDY & NEERAJA REDDY

Counsel for the Respondent Nos.1 and 2: MR.ARAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent Nos.3 and 4: Govt. Pleader for Labour.

Counsel for the Respondent Nos.5 and 6: Mr.V.Ch.Naidu

Counsel for the Respondent Nos.7 to 11: Mr.M.Damodar Reddy

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

An order was passed in W.P.No.4398 of 1997 dated 5th July, 2004. Similarly, this writ petition is also disposed of with direction that the allotment so far made of the houses constructed as per the scheme will not be disturbed. The allotments will continue to remain in operation but no further allotment would be made under the policy as notified through G.O.Ms.No.87 dated 24th October, 1996. Fresh allotments would be made as per the policy of the Government to be formulated by the State Government. In the event of any person being aggrieved by the policy to be formulated, he will at liberty to challenge the same in accordance with law.

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DEVINDER GUPTA, CJ

10-11-2004

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C.V.RAMULU, J

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To

1 The Welfare Commissioner, Union Ministry of Labour, Government of

India, Kendriya Sadan, Sultan Bazar, Hyderabad-500095.

2 The Secretary, Government of India, Ministry of Labour, New Delhi.

3 The District Collector,
Mahaboobnagar, Mahaboobnagar District.

4 The Commissioner of Labour, Govt., of A.P.,
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Near Urdu Hall, Himayathnagar, Hyderabad.

6 The District Manager, A.P.State Housing Corporation Ltd.,
Mahaboobnagar, Mahaboobnagar District.

7 2 CCs to the Govt. Pleader for Labour, High Court Buildings,

Hyderabad (OUT)

8 2 CCs to the Senior Central Govt. Standing Counsel, High Court

Buildings, Hyderabad (OUT).

9 2 CD copies.